

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/003067

International filing date (day/month/year)
14.07.2004

Priority date (day/month/year)
17.07.2003

International Patent Classification (IPC) or both national classification and IPC
G07F17/32

Applicant
NT MEDIA LTD

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITYInternational application No.
PCT/GB2004/003067

IAP20 Rec'd 703070 10 JAN 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material:

a sequence listing
 table(s) related to the sequence listing

b. format of material:

in written format
 in computer readable form

c. time of filing/furnishing:

contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB2004/003067

Box No. II Priority

1. The following document has not been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-26
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-26
Industrial applicability (IA)	Yes: Claims	1-26
	No: Claims	

2. Citations and explanations

see separate sheet

IAP20 Res'd PCT/PTO 10 JAN 2006

Re Item V.

1 The following document is referred to in this communication:
D1 : US 2003/104860 A1 (CANNON LEE E ET AL) 5 June 2003 (2003-06-05)

2 INDEPENDENT CLAIM 1

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not inventive in the sense of Article 33(3) PCT.

Document D1 discloses the following features of this claim (the references in parenthesis applying to this document):

1) A gaming system (see paragraphs 1 and 5), 2) comprising means configured to establish a trail comprised of a succession of trail elements (see paragraph 5), 3) of which at least one or more are associated with a prize (see paragraph 5), 4) progression from one element to another along said trail being dependent upon the completion of tasks by a punter in the course of playing a game (see paragraph 5); 5) Means for determining, at the outset of a said game, the trail element to which the punter could progress in the course of playing the game (see paragraph 5); and 6) means for controlling the provision of tasks for completion by the punter in the course of the game (see fig.1, references 142 and 144).

The remaining features,

" said controlling means being configured to ensure that the punter is not provided with a number of tasks that, if completed, would enable the punter to progress to a trail element beyond that which the punter has been predetermined by said determining means to attain"

are non technical and constitute "rules of the game" (compare Rule 67.1 (iii)) that can be implemented in any general gaming system such as the one described in D1.

3 INDEPENDENT CLAIM 25

3.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 25 is not inventive in the sense of Article 33(3) PCT. Document D1 discloses the following features of this claim (the references in parenthesis applying to this document):

1) A method of controlling a game system (see paragraphs 1 and 5), 2) establishing a trail comprised of a succession of trail elements (see paragraphs 5), 3) of which at least one or more are associated with a prize (see paragraphs 5), 4) progression from one element to another along said trail being dependent upon the completion of tasks by a punter in the course of playing a game (see paragraph 5)

The remaining features,

"Determining at the outset of a said game, the trail element to which the punter could progress in the course of playing the game; and controlling the provision of tasks ... by said determining means to attain"

are non technical and constitute "rules of the game" (compare Rule 67.1 (iii)) that can be implemented in any general gaming system such as the one described in D1.

4 INDEPENDENT CLAIM 26

4.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 26 is not inventive in the sense of Article 33(3) PCT.

This is a consequence of what was explained in points 2 and 3 for claims 1 and 25 respectively.

5 DEPENDENT CLAIMS 11, 12, 22-24

Dependent claims 11, 12, 22-24 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).